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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
087349,177	12/02/94	GREY	H 14137-58-4

020350 18M1/1001
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER EIGHTH FLOOR
SAN FRANCISCO CA 94111

EXAMINER
SCHWADRUN, R

ART UNIT 1816	PAPER NUMBER
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DATE MAILED: 10/01/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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08/744 177

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Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The communication filed on 6/26/97 is non-responsive to the prior Office action because applicant has cancelled the originally pending claims and submitted new claims that are drawn to an invention that is patentably distinct from the invention that was previously under consideration in the previous Office Action. Original claims 1-10 were drawn to a composition, classified in Class 530, subclass 350. Claims 19-36 are drawn to a method of inducing a CTL response in a patient, classified in Class 435, subclass 2 and Class 424, subclass 184.1. The invention of claims 1-10 and 19-36 are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the product can be used to stimulate T cell responses from normal individuals (eg. nonpatients). Applicant needs to cancel claims 19-36 and resubmit claims drawn to the invention that was the claimed invention addressed in the previous Office Action.

Since the response appears to be *bona fide*, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a TIME LIMIT of ONE MONTH from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b), but the period for response set in the last office action may be extended up to a maximum of SIX MONTHS.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Ron Schwadron whose telephone number is (703) 308-4680. The examiner can normally be reached Tuesday through Friday from 8:30 to 6:00. The examiner can also be reached on alternative Mondays. A message may be left on the examiners voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Group 180 receptionist whose telephone number is (703) 308-0196.



Ron Schwadron, Ph.D.
September 30, 1997

**RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800**